

06-29-01 A

11048 U.S. PTO
06/28/01

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (4/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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UTILITY
PATENT APPLICATION
TRANSMITTAL
(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. EMC-00-067

First Inventor or Application Identifier Michael H. Wright et al.

Title A SYSTEM & METHOD FOR MANAGING REPLICATION...

Express Mail Label No. EE771527655US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification [Total Pages 34]
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]

4. Oath or Declaration [Total Pages 3]

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)

i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)

6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Copy

b. ☐ Paper Copy (identical to computer copy)

c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))

8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)

9. ☐ English Translation Document (if applicable)

10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

11. ☐ Preliminary Amendment

12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

13. ☐ * Small Entity Statement(s) ☐ Statement filed in prior application
(PTO/SB/09-12) Status still proper and desired

14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

15. ☒ Other: Non-Publication

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: /

Prior application information: Examiner Group / Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

24227

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type) Robert Kevin Perkins

Registration No. (Attorney/Agent) 36,634

Signature Robert Kevin Perkins

Date June 28, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 876.00)

Complete if Known

Application Number	To Be Assigned
Filing Date	To Be Assigned
First Named Inventor	Michael H. Wright et al.
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	EMC-00-067

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **05-0889**

Deposit Account Name **EMC Corporation**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355	Utility filing fee	710.00
106	320	206 160	Design filing fee	
107	490	207 245	Plant filing fee	
108	710	208 355	Reissue filing fee	
114	150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	27	-20** = 7 x 18. = 126.	
Independent Claims	3	-3** = 0 x 80. = 0	
Multiple Dependent			

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103	18	203 9	Claims in excess of 20	
102	80	202 40	Independent claims in excess of 3	
104	270	204 135	Multiple dependent claim, if not paid	
109	80	209 40	** Reissue independent claims over original patent	
110	18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 126.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath	
127	50	227 25	Surcharge - late provisional filing fee or cover sheet	
139	130	139 130	Non-English specification	
147	2,520	147 2,520	For filing a request for ex parte reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115	110	215 55	Extension for reply within first month	
116	390	216 195	Extension for reply within second month	
117	890	217 445	Extension for reply within third month	
118	1,390	218 695	Extension for reply within fourth month	
128	1,890	228 945	Extension for reply within fifth month	
119	310	219 155	Notice of Appeal	
120	310	220 155	Filing a brief in support of an appeal	
121	270	221 135	Request for oral hearing	
138	1,510	138 1,510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1,240	241 620	Petition to revive - unintentional	
142	1,240	242 620	Utility issue fee (or reissue)	
143	440	243 220	Design issue fee	
144	600	244 300	Plant issue fee	
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Processing fee under 37 CFR 1.17(q)	
126	180	126 180	Submission of Information Disclosure Stmt	
581	40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Robert Kevin Perkins	Registration No. (Attorney/Agent)	36,634	Telephone	508-435-1000
Signature	Robert Kevin Perkins			Date	JUN 28, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Michael H. Wright et al.

Title A SYSTEM AND METHOD FOR MANAGING
REPLICATION SETS OF DATA DISTRIBUTED...

Atty Docket Number EMC-00-067

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 28, 2001

Date

Robert Kevin Perkins

Signature

Robert Kevin Perkins

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael H. Wright and John E. Stockenberg

Application No.: To Be Assigned
Filed: 06/28/2001

Group No.: To Be Assigned
Examiner: To Be Assigned

For: *A SYSTEM AND METHOD FOR MANAGING REPLICATION SETS OF DATA
DISTRIBUTED OVER ONE OR MORE COMPUTER SYSTEMS*

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EE771527655US
Date of Deposit 06/28/2001

I hereby state that the following *attached* paper or fee

Utility Patent Application Transmittal, Fee Transmittal (in duplicate), 33 page United States Patent Application plus coversheet, 9 sheets of formal drawings (showing figures 1-12), Executed Combined Declaration and Power of Attorney, Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i), executed assignment & Recordation Cover Sheet (4 pages), and Return Receipt Postcard are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231.

Linda Valanzola



Signature of person mailing paper or fee